

Readoption Review

Incorporation by reference 410 IAC 15-1.7-1

IC 4-22-2.5-3.1(c) requires an agency to conduct a review to consider whether there are alternative methods of achieving the purpose of the rule that are less costly or less intrusive, or that would minimize the economic impact of the proposed rule on small business.

Description of Rule:

The Indiana State Department of Health (ISDH) has the responsibility for licensure and inspection of hospitals and ambulatory outpatient surgical centers, abortion clinics, and birthing centers. This particular rule incorporates by reference certain requirements including the latest American Institute of Architects (AIA) construction requirements and on-site wastewater standards.

Readoption Analysis:

1) Is there a continued need for this rule?

Yes, there is a continued need for licensure of hospitals, ambulatory outpatient surgical centers, abortion clinics, and birthing centers and to do so the rule must include certain requirements and standards for construction of such facilities.

2) What is the nature of any complaints or comments received from the public, including small business, concerning the rule or the implementation of the rule by the agency?

Since the effective date of the rule, there has been no complaints or comments received from the public or small business concerning this rule or the implementation of this rule by the ISDH.

3) Examine the complexity of the rule, including difficulties encountered by the agency in administering the rule and small businesses in complying with the rule.

No complaints or comments have been received from small business about this rule or the implementation of it and the ISDH is not aware of any difficulties in administration of or compliance with this rule. It is difficult to see how the rule could be made easier to understand or implement.

4) To what extent does the rule overlap, duplicate, or conflict with other federal, state, or local laws, rules, regulations, or ordinances?

This rule does not overlap, duplicate, or conflict with any other federal, state, or local laws, rules, regulations, or ordinances.

- 5) **When was the last time the rule was reviewed under this section or otherwise evaluated by the agency, and the degree to which technology, economic conditions, or other factors have changed in the area affected by this rule since that time?**

The rule was reviewed thoroughly by the agency and the public through the public hearing process before final adoption as an amendment to the existing rule in 2004.

July 9, 2010